

7/19

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**ABINGDON CALENDAR - JULY 21, 2004**

(The Honorable William F. Stone, Jr. Presiding)

(Start: \_\_\_\_\_ Recess: \_\_\_\_\_ ♦ Resume: \_\_\_\_\_ Stop: \_\_\_\_\_ ♦ Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

Attys:                      Debtors:    Case Nos.:                      Trustees:

**9:30 A. M. - PRE-TRIAL CONFERENCES**

Timoney              CHAD & MISTY RECTOR    7-02-01627                      Wick/JM  
A/P 7-04-00051: Object to or Revoke Discharge  
McDow, U. S. Trustee (Garber) v. debtors  
–Answer of Defendant and MOTION to DISMISS chapter 7\* filed 6/28, d/e # 5  
–*\*motion to dismiss is not docketed in the CASE file*  
(Timoney called 7/13–will be noticing the Motion to Dismiss for 8/4 @ 10:00 a.m.)

Snodgrass              ANTHONY & JULIA SEMONES    7-03-01699                      Wick/LM  
A/P 7-04-000054: Recover money or property  
Robert E. Wick Trustee (Wick) v. State Farm Life Insurance Co (                      )  
–**Ord entered 6/25 resolved AP; AP closed 7/12/04**

Lamie                      CHARLES & GLENNA HOLMES - Ch. 7    7-04-00843                      Callahan/SO  
A/P No. 7-04-00058: Determine dischargeability of debt  
Lee Bank & Trust Co. (Lyle) v. Debtors

**10:00 A. M. - MISCELLANEOUS**

Carmody      PAUL COX-ch7      7-04-00841      Callahan/JJ

Motion #1: Avoid lien, filed 6/4; d/e # 13, 14

Debtor v. Capital One FSB c/o Richard Fairbank, CEO, Richmond, VA

*—file awaiting response of atty to chambers ltr re: H/S'd v.scheduled values*

Carmody      WILLIAM ENLOW-ch7      7-01-02022      Callahan/SO

Objection of Debtor to Trustee's Final Report and Proposed Distribution,  
filed 5/28; d/e # 116

**Objection:** Debtor, filed 6/16; d/e # 120, 121, 122 (notice filed 6/18; d/e # 122)

*Obj of Graybar Electric filed 6/3 dismissed 6/16, failure to timely file notice  
pursuant to deficiency order; notice rec'd after dismissal; Order entered 6/18 that  
new Motion must be filed, d/e #124 (J Lyle) ; none filed as of 7/13/04*

F Harman      JODY & BRENDA HARLESS-ch7      7-04-00976      Vogel/SL

Motion of U. S. Trustee (Garber) to extend time to issue discharge for filing of Motion  
to Dismiss Case or Complaint to Deny Discharge, filed 6/10; d/e # 12

***—Order of 7/14 extended discharge to 8/17; cancels hearing , d/e # 14***

Motion of U. S. Trustee (Garber) for examination under Rule 2004, filed 6/10;  
d/e # 13

***Agreed O/E Contd R2004 motion to 8/4 @ 1:00***

*—see also d/e # 15; debtors' mot to dismiss case set on 8/4 @ 2:00*

Carmody      PEGGY SLATE      7-04-02485      Vogel/GR  
Motion of Debtor to Redeem Property, 2002 Ford Escort, with Ford Motor  
Credit, filed 6/21; d/e # 9

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**10:00 A. M. - MISCELLANEOUS**

Carroll      CHRISTOPHER & MELISSA COLEMAN - Ch. 7      7-04-00811      Callahan/JM  
Motion to Re-Open Case and Waive Reopening Fee filed by Debtors [d/e # 16]

Carroll      BOBBY & SHEILA STANLEY - ch. 7      7-03-03808      Shortridge/JM  
Amended Motion # 3: Avoid lien [d/e # 20, 26, 27, 31, 32]  
Debtor v. Wachovia (                      )  
*-Amended Order of 7/14 avoided lien in Amended Motion (Wachovia)*

Large      STEVE BALES - Ch. 7      7-01-02446      Callahan/JJ  
Motion # 1: Avoid lien—filed 6/1 [d/e # 20]  
Debtor v. CitiBank (                      ) & Trustee  
*-movant certification filed 6/28; d/e # 25*

Carroll      COY & SANDRA BLANKENSHIP - Ch. 7      7-04-01668      Vogel/SL  
Motion # 1: Relief—filed 6/24 [d/e # 12]  
Bank One, N.A. (Huebschman) v. Coy L. Blankenship (only) & trustee  
*-ORDER of 7/14 granted relief (Default)*

Farthing                      TRACY CARICO                      7-04-01396                      Callahan/NS  
   Motion #1: Relief - filed 6/25; d/e # 17, 19  
   National Bank of Commerce (Higgs) v. debtor & trustee  
   **-ORDER of 7/14 granted relief (Default)**

Abingdon Calendar - 7/21/04

**10:00 A. M. - MISCELLANEOUS**

McDaniel                      DALE & HAZEL WIDENER-ch7                      7-04-01125                      Wick/VS  
   Mot to Reconsider Order of Dismissal entered 6/10/04 filed 6/21; d/e # 18, 19,21

Arey                              ROBERT & TAMELA POSZICH - Ch. 7                      7-04-01629                      Vogel/VS  
   Motion # 2: Relief-filed 6/30 [d/e # 23]  
   Wachovia Bank of Delaware, NA (Clarke) v. Debtors & Trustee

Gifford                              JACKIE & CONNIE OSBORNE - Ch. 7                      7-04-01925                      KrippendorfVS  
   Motion # 2: Relief-filed 7/2 [d/e # 20]  
   Ford Motor Credit (Eason) v. Debtors & Trustee  
   Response filed 7/12; d/e # 23

Snodgrass                              RONALD AYERS                      7-04-02405                      Vogel/S  
   Motion #1: Relief - filed 7/1; d/e #  
   Greenpoint Credit LLC ©> Smith) v. debtor & trustee  
   **-Default Order entered 7/15-hrg. cancelled**

Carmody                      DANNY & MARY ASBURY                      7-04-02210                      Wick/JM  
Motion of Debtor to Redeem Property and fix Value of Personal Property,  
Ford Explorer, @ \$200, filed 6/15; d/e # 14, 15

**11:00 A. M. - MISCELLANEOUS**

Timoney                      JAMES & MELISSA NEWBERRY                      7-04-01927                      Krippend/VS  
Objection of Trustee to Claim of Exemptions filed 6/28; d/e # 14

Abingdon Calendar - 7/21/04

**11:00 A. M. - MISCELLANEOUS**

Farthing                      CHARLOTTE EASTER                      7-04-01828                      Krippend/VS  
Motion of Trustee for extension of time to file objection to exemptions or complaints re :  
Discharge/Dischargeability, filed 6/15; d/e # 11, 12

Slavin                      TIMMY & SHERRI ROBERTSON                      7-02-05115                      Krippend/LM  
Motion of Trustee for Order of contempt against debtors for failure to comply  
With Court's 4/25/-03 order , filed 6/25; d/e # 25

Farthing                      RANDALL & ALINA HALL                      7-04-01827                      Krippend/VS  
Motion of Trustee for Extension of Time to object to exemptions or file complaints  
re: Discharge or Dischargeability, filed 6/25; d/e # 11, 12  
–**Ord withdrawing motion entered 7/19 & order of 6/28 vacated**

Hendricks      BRENDA SMITH      7-04-01795      Krippend/NS  
Motion of Trustee for Extension of Time to object to exemptions or file complaints  
re: Discharge or Dischargeability, filed 6/25; d/e # 11, 12

Hendricks      CRAIG & MELESIA DOBSON      7-04-01819      Krippend/SO  
Motion of Trustee for Extension of Time to object to exemptions or file complaints  
re: Discharge or Dischargeability, filed 6/25; d/e # 12, 13

Abingdon Calendar - 7/21/04

**11:00 A. M. - MISCELLANEOUS**

Copeland      GREEN SPRING SPORT CENTER, INC. -11      7-04-02727      DIP/VS  
Debtor's Motion to Employ professional person, Thomas C. Antenucci  
and the law firm of Copeland & Bieger [d/e # 10]  
**Obj.:** U. S. Trustee – filed 7/9 [d/e # 23]

**1:00 P.M. - CH. 13 CONFIRMATIONS**

Carmody      CHIQUITA WINFREY - Ch. 13      7-03-04787      Widener/GR  
***Case Converted from Ch. 13 to Ch. 7 6/24***

Motion # 1: Relief–filed 5/17 [d/e # 41, 56, 57]  
DaimlerChrysler Services (Higgs) v. Debtor & Trustee  
*cont'd from 6/9 hrg.; movant certification filed 7/1 (amended mot filed 7/1)*  
Objection filed by Debtor 7/8 [d/e # 71]

Motion for Valuation of 2000 Chevrolet Cavalier w/DaimlerChrysler,  
Creditor (filed 12/16/03) [d/e # 18, 56, 57]

*cont'd from 6/9 hrg.*

Hutchinson	STEPHANIE HELTON	7-03-04198	Widener/NS
	Mod Plan filed 6/1; d/e # 31, 32		
	Motion of Trustee to Dismiss or convert case, filed 5/21; d/e # 30		
	<i>cont'd from 6/23 hrg.</i>		

Largen	STEPHEN & REBECCA KREJCI - Ch. 13	7-03-04702	Widener/S
	Post-Conf. Mod. Plan filed 6/7 [d/e # 40, 41]; cert. of serv. filed 6/9 [d/e # 46]		
	<i>previously confirmed 3/18/04</i>		
	<i>—note: creditor, Wells-Fargo (mortgage) requested 8/18 @ 1 hearing on relief motion</i>		

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**1:00 P. M. - CHAPTER 13 CONFIRMATIONS**

Largen	JAMES & MARY COWAN	7-03-03683	Widener/GR
	Mod Plan filed 4/30; d/e # 39, 40		
	Motion of Trustee to Dismiss or Convert filed 4/1; <i>cont'd from 6/23 &amp; 7/21 hrg.</i>		

**1:30 P. M. - MISCELLANEOUS**

Lamie	CHRISTOPHER & DEIDRE EVANS	7-03-01742	Widener/JJ
	Motion of Debtor for authority to Complete Single Family Dwelling under Construction and to have lender advance remaining funds under building loan for that purpose, filed 6/17; d/e # 85, 87		
	<i>— see also 2:00 p.m. obj to claim below</i>		

Hutchinson	JERRY & SHARON SINGLETON	7-01-01378	Widener/GR
	Motion to Shorten Notice/ Motion to Incur Debt, filed 7/13; d/e # 34		
	<b>Obj:</b> Trustee, filed 7/14; d/e # 35		

Carmody      CLIFFORD & MONIKA WILLIAMS - Ch. 13      7-02-01751      Widener/JJ  
Motion # 1: Relief–filed 5/18 [d/e # 30] -  
Washington Mutual Bank, FA (Wasser) v. Debtors & Trustee  
–*contd from 7/7*

**2:00 P. M. - MISCELLANEOUS**

Lamie      CHRISTOPHER & DEIDRE EVANS      7-03-01742      Widener/JJ  
Obj of Debtor to Claim #42: Lyndon Property Insurance Co, in amt of \$30,000,  
filed 6/15; d/e # 84  
Response filed 7/15; d/e # 88 (Esposito)  
  
–*see also 1: 30 p.m. miscellaneous hearings set by 6/18 notice*

Antenucci      BILLY & BARBARA VANDYKE - Ch. 13      7-99-04094      Widener/NS  
Trustee’s Motion to Dismiss or Convert [d/e # 59] *contd from 5/19*  
(*Ord of cont. w/conditions as agreed on 5/19 not rec’d as yet*)  
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**2:00 P. M. - MISCELLANEOUS**

Hutchinson      JEFFREY & TINA FERGUSON      7-00-01154      Widener/SJ  
Motion of Trustee to Dismiss or convert, filed 6/17; d/e # 27

Timoney      RICHARD HAWKS      7-02-02801      Widener/S  
Motion of Trustee to Dismiss or convert, filed 6/17; d/e #19

Timoney      ROBERT & SHANNON DALTON - Ch. 13      7-01-04906      Widener/S  
Trustee’s Motion to Dismiss or Convert to Ch. 7 [d/e # 57]



Hutchinson	GRATTON & CONNIE FOX	7-02-04029	Widener/VS
	Trustee Motion to Dismiss or convert filed 6/17; d/e # 29		

Farthing	WILLIAM HAYWOOD III	7-03-02500	Widener/S
	Motion #3: Relief - filed 6/1; d/e # 54, 55		
	Household Automotive Finance Corp (Epps) v. debtor & trustee		
	<i>Respondent Certification filed 6/10; d/e # 57</i>		
	<i>--Motion &amp; Stay cont'd from 6/23 hrg d/e # 60.</i>		

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**2:00 P. M. - MISCELLANEOUS**

Graham	DUANE & JOYCE PRATER - Ch. 13	7004-00288	Widener/NS
	Motion # 3: Relief--filed 7/2 [d/e # 60] <i>contd from 7/21</i>		
	Bank of America (White/HUTTON ) v. Debtors & Trustee		

**2:30 P.M. - MISCELLANEOUS**

Copeland	COAL RIVER RESOURCES INC-chll	7-04-00988- <b>BSG</b>	DIP/NS
	HOLLOW MOUNTAIN RESOURVES INC	7-04-00989- <b>BSG</b>	DIP/NS
	TRI-STATE LEASING CORP	7-04-00990- <b>BSG</b>	DIP/NS
	STEVEN R MULLINS EXCAVATING	7-04-00991- <b>BSG</b>	DIP/NS
	1) Status Report (new Ch 11 cases – <b><i>JOINT ADMINISTRATION</i></b> )		
	<i>--cont'd from 7/6</i>		

2) Motion of Debtor to Employ Bankstreet Partners LLC as Consultants & Investment Bankers filed 6/8; d/e # 117 *–cont'd from 7/6*

**Objections:** Baker Hughes Mining Tools (Shortridge)

**U. S. Trustee (Garber)**

**Motion # 4: Relief** or adequate protection–filed 6/23 [d/e # 133]

The CIT Group/Equipment Financing, Inc. (Shepherd) v. Steve R. Mullins  
Excavating, Inc. (Copeland) *–cont'd from 7/6*

4) Debtor Motion for Entry of Order Granting Permission to Enter Into Revised & Amended Mining Agreement & to Shorten Notice Requirement filed 6/30; d/e # 140–*Renewed Motion filed 7/9; d/e # 157*

**(Obj.** *was mailed by Shortridge 7/2) - contd from 7/6*

5) Motion (Emergency) to Enter into Premium Finance Agreement with A.I. Credit Corp filed by Steven R. Mullins Excavating Inc 7/16; d/e # 175